

# Wetlands Bureau Decision Report

Decisions Taken  
01/02/2017 to 01/08/2017

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at [appeals@des.nh.gov](mailto:appeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

## MAJOR IMPACT PROJECT

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**2011-00425                      ALTARIA LLC**  
**LEBANON   Unnamed Wetland**

### Requested Action:

Amend permit to reflect compliance to compensatory mitigation through conservation of a 223 acre property and not an in-lieu fee payment.

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### Conservation Commission/Staff Comments:

This approval is contingent on receipt of a final signed copy of the "Irrevocable Letter of Credit #7009236". The final signed letter of credit shall be received by DES within 120 days of the date of the approval letter or the application will be denied.

Wetland impacts for the current phase and potential impacts for a future phase (Phase III) will be mitigated by executing a conservation easement on 223 acres of undeveloped land known as Rix Ledges, or an in-lieu fee payment will be made into the Aquatic Resource Mitigation (ARM) Fund of \$106,949.43 (see Letter of Credit/Agreement).

Inspection Date: 11/08/2010 by Craig D Rennie

### APPROVE AMENDMENT:

Amend permit to read:

Dredge and fill 28,152 square feet of palustrine forested and emergent wetland, and temporarily impact 3,789 square feet of wetland, to redevelop an existing 15 acre site (Wilson Tire site) into a Planned Unit Development (Phase I) that will include a 120 room hotel and several retail/office buildings. In addition, a 9-lot Planned Business Park (Phase II) will be constructed on a 51 acre area with 2,980 sq.ft. of palustrine forested and emergent wetland impacts. Wetland impacts for the current phase and potential impacts for a future phase (Phase III) will be mitigated by conservation of a 223 acre property, known as Rix Ledges, to be owned by the Upper Valley Land Trust.

### With Conditions:

#### With amended conditions:

1. All work shall be in accordance with revised plans by Engineering Ventures dated August 5, 2013, as received by the NH Department of Environmental Services (DES) on August 5, 2013.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This approval is contingent on approval by the DES Alteration of Terrain (AoT) Bureau for the Phase I Planned Unit Development. The Phase II Planned Business Park will require a separate AoT Permit prior to its construction.
4. The applicant shall notify in writing DES Wetlands Bureau and the Lebanon Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

10. Proper headwalls shall be constructed within seven days of culvert installation.

11. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

14. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

#### MITIGATION CONDITIONS:

15. This permit is contingent upon the conservation of the 223 acres of undeveloped land as depicted on plans received by DES on February 2011 through transfer to the Upper Valley Land Trust (UVLT). UVLT shall own and manage the Rix Ledges property, offered as compensatory mitigation, so as to permanently protect sensitive ecological functions and values and provide for appropriate educational and recreational use and scenic enjoyment by the public.

16. UVLT's stewardship and uses of the property shall be consistent with the goals and purposes outlined in a Board Resolution dated March 25, 2009, as revised and readopted November 20, 2013 and shall be guided by a management plan that is consistent with DES wetland protection goals. In the event that UVLT determines another entity would be a more appropriate owner of the property or would provide further protection of the property, UVLT will ensure that the values outlined therein are protected in the public interest in perpetuity and will only transfer an interest in the property subject to permanent conservation restrictions.

17. The plan noting the conservation parcel with a copy of the final deed language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to permit expiration.

18. The conservation area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.

19. A baseline documentation report shall be prepared in accordance with Env-Wt 501.02(a)(6)a.1. concurrent with the conservation land transfer and reviewed and approved by DES.

20. The Wetlands Bureau shall be notified of the placement of the monuments to coordinate on-site review of their location.

21. UVLT shall prepare a management plan, consistent with DES wetlands protection goals, that describes existing conditions within the conservation area and defines management zones including wetland buffer areas where there shall be no removal of vegetative undergrowth except as necessary to protect sensitive ecological functions and to provide for appropriate low-impact educational and recreational enjoyment by the public. Any vegetative management activities proposed in zones outside of the wetland buffer areas shall be outlined in the management plan and conducted utilizing best management practices to protect the natural resources of the conservation area. The placement of fill and construction of structures shall be prohibited except as necessary to protect sensitive ecological functions and provide for appropriate low-impact outdoor educational and recreational enjoyment by the public. The storage of vehicles or hazardous materials is prohibited. 22. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of DES (including remediation and fines).

#### With Findings:

1. The applicant has completed the conservation of land through a transfer of land to UVLT which meets the compensatory mitigation requirements.

2. DES has received documentation noting the transfer of conserved land so there is no longer the need to consider an in-lieu fee payment.

3. The permit is amended to record the completion of the conservation of land and to eliminate the need of another form of mitigation.

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Requested Action:

Impact a total of 35,505 square feet of jurisdictional area to include temporarily impacting 32,570 square feet within the previously-developed 100-foot tidal buffer zone and 2,195 square feet of temporary impact and 740 square feet of permanent impact within the bed and banks of Norris Brook, a perennial stream, for the upgrade to the existing Exeter Wastewater Treatment Facility adjacent to the Squamscott River and contiguous with the Great Bay Estuary.

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APPROVE PERMIT:

Impact a total of 35,505 square feet of jurisdictional area to include temporarily impacting 32,570 square feet within the previously-developed 100-foot tidal buffer zone and 2,195 square feet of temporary impact and 740 square feet of permanent impact within the bed and banks of Norris Brook, a perennial stream, for the upgrade to the existing Exeter Wastewater Treatment Facility adjacent to the Squamscott River and contiguous with the Great Bay Estuary.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce revised through 09/16 as received by the NH Department of Environmental Services (DES) on September 21, 2016.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the Exeter Conservation Commission in writing of the date on which work under this permit is expected to start.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
5. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at this work site as these products are a known source of entanglement and mortality to the state threatened black racer and other wildlife species. Coco matting or the use of erosion control berm okay.
10. Prior to commencing work on a substructure located within Norris Brook, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from Norris Brook.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
14. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
15. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
16. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Any fill used shall be clean sand, gravel, rock, or other suitable material.
18. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
20. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

21. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
22. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
23. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.
24. Native material removed from the streambed during construction shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wing walls, and beyond. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
25. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.
26. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.
27. Restoration of temporary impact areas shall not be considered successful if sites are invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to DES that proposes measures to be taken to eradicate nuisance species during this same period.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a) Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05 and Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The U.S. Environmental Protection Agency issued an Administrative Order on Consent Docket No. 13-010 (the "Order") to the Town of Exeter outlining violations of the Clean Water Act and National Pollutant Discharge Elimination System Permit No. NH0100871. The Order provided a schedule for compliance; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB16-0615 identified a natural community, plant species, and several vertebrate species in the vicinity of the proposed impacts.
6. In response to the NHB letter, the applicant addressed concerns raised by NHB and the NH Fish and Game Dept.
7. The Exeter Conservation Commission "Investigated this application and have no objection to the issuance of this permit."
8. The Exeter-Squamscott River Local Advisory Committee "supports the work as proposed."

**2016-02943**                      **NH DEPT OF TRANSPORTATION**  
**WOODSTOCK**   **Gordon Pond Brook**

Requested Action:

Install toewalls and rip rap at the abutments and the wingwalls will be faced impacting 6,040 sq. ft. (5,402 sq. ft. temporary) of riverine wetlands.

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Conservation Commission/Staff Comments:

Cons Comm. - no comments

APPROVE PERMIT:

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Install toewalls and rip rap at the abutments and the wingwalls will be faced impacting 6,040 sq. ft. (5,402 sq. ft. temporary) of riverine wetlands. NHDOT project 40571

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 3/19/16, as received by the NH Department of Environmental Services (DES) on Oct. 10, 2016.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically authorized.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on March 16, 2016.
6. The project does not require mitigation as this meets rule Env-Wt 302.03(c)(2)(c), protection of existing infrastructure.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
8. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.
9. Although there was a Natural Heritage Bureau record present in the vicinity it was determined there is no impact expected.

10. The location of the project is not within a Designated River Corridor.

## MINOR IMPACT PROJECT

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**2016-02165                      PAQUETTE, ANDRE/JENNIFER**  
**MEREDITH   Winnisquam Lake**

### Requested Action:

Repair approximately 75 linear ft. of retaining wall "in kind," install a concrete anchor pad, replace the existing seasonal pier with a 6 ft. x 40 ft. seasonal pier, and repair 15 linear ft. of rip-rap on an average of 100 ft. of frontage along Lake Winnisquam, in Meredith.

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### APPROVE PERMIT:

Repair approximately 75 linear ft. of retaining wall "in kind," install a concrete anchor pad, replace the existing seasonal pier with a 6 ft. x 40 ft. seasonal pier, and repair 15 linear ft. of rip-rap on an average of 100 ft. of frontage along Lake Winnisquam, in Meredith.

### With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental dated June 9, 2016, as received by DES on December 5, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 ft. of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
13. Rip-rap shall be confined to the footprint of the pre-existing rip-rap, and shall not extend more than 2 feet lakeward of the original normal highwater line at any point.
14. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.

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15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j) repair or replacement of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 100 ft. of shoreline frontage along Lake Winnisquam.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2016-02243  
CANDIA

66 VINTON STREET LLC

Requested Action:

Dredge and fill 8,962 square feet of forested wetland to include 1,225 square feet of temporary impact and 7,737 square feet of permanent impact for the construction of an access road into a nine (9) lot residential subdivision of 65.4172 acres.

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Conservation Commission/Staff Comments:

8-25-16 - No historic properties affected per DHR.

APPROVE PERMIT:

Dredge and fill 8,962 square feet of forested wetland to include 1,225 square feet of temporary impact and 7,737 square feet of permanent impact for the construction of an access road into a nine (9) lot residential subdivision of 65.4172 acres.

With Conditions:

1. All work shall be in accordance with the following plans received by the NH Department of Environmental Services (DES) on December 5, 2016:
  - a.) 'Wetland Crossing Plan' dated November 22, 2016 by Aspen Environmental Consultants, LLC; and,
  - b.) 'Residential Major Subdivision Plan' dated June 30, 2016 and revised 11/07/16 by Joseph M. Wichert LLS, Inc.
2. This permit is not valid and effective until it has been recorded with the Rockingham County Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Rockingham County Registry of Deeds for each lot that is subject to the easement. The permittee shall submit a copy of the recording from the Rockingham County Registry of Deeds to the DES Wetlands Program prior to the start of construction.
4. This permit is not valid unless a subdivision and septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
5. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.



8. A 50-foot no cut/disturbance buffer shall be maintained around the wetland areas with markers identifying the boundary placed every 100-feet as depicted on the plans by Aspen Environmental Consultants, Inc.
9. A 25-foot structure setback shall be maintained from the no cut/disturbance buffer.
10. It is illegal to harm, harass, or kill Northern Black Racers in New Hampshire. All construction personnel and future homeowners must be made aware of the potential presence and protected status of this species and the attached brochure distributed to them. All observations of black racers should be immediately reported to the NH Fish and Game Dept. (NHFG) Nongame Program through RAARP or Wildlife Sightings  
<http://www.wildlife.state.nh.us/nongame/documents/black-racer-brochure.pdf>
11. Construction personnel and future owners should also be made aware of the potential to encounter Blanding's or spotted turtles especially during turtle nesting season which extends from late May through the beginning of July. If Blanding's or spotted turtle are found laying eggs in a work area, please contact Kim Tuttle or Mike Marchand, Wetlands Systems Biologist NHFG at 271-3016 for instructions.
12. Work shall be done during seasonal low flow and in the dry only.
13. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
14. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at this work site as these products are a known source of entanglement and mortality to the state threatened black racer and other wildlife species. Coco matting or the use of erosion control berm okay.
15. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
22. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03((h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The impacts are necessary to create the residential subdivision; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Division of Historical Resources found 'No Historic Properties Affected'.
6. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB 16-2172 identifying three (3) vertebrate species in the vicinity of the proposed impacts: Blanding's Turtle (*Emydoidea blandingii*), Northern Black Racer (*Coluber constrictor*), and Spotted Turtle (*Clemmys guttata*).
7. In response to concerns raised by NH Fish and Game Dept. of the aforementioned species, the applicant has volunteered to

provide a 50-foot no cut/disturbance with markers around select wetlands and probable vernal pools to include a 25-foot structure setback. Additionally, the applicant has offered a deeded conservation easement at the south end of parcel to protect high value habitat.

**2016-02542 AIKENS JR, PETER**

**RYE Parsons Creek**

**Requested Action:**

Impact a total of 748 square feet (297 sq. ft. of permanent impact and 451 sq. ft. of temporary impact) within the previously-developed 100-foot tidal buffer zone for the relocation of an existing shed and add a generator on a commercial lot of 1.2735 acres with approximately 680 linear feet of frontage on Parsons Creek.

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**APPROVE PERMIT:**

Impact a total of 748 square feet (297 sq. ft. of permanent impact and 451 sq. ft. of temporary impact) within the previously-developed 100-foot tidal buffer zone for the relocation of an existing shed and add a generator on a commercial lot of 1.2735 acres with approximately 680 linear feet of frontage on Parsons Creek.

**With Conditions:**

1. All work shall be in accordance with the 'Wetlands Permit Plan' by MSC a division of TFMoran, Inc. dated August 19, 2016 and revised through 11/30/16 as received by the NH Department of Environmental Services (DES) on December 5, 2016.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. No more than 29.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The impacts are necessary to relocate and existing shed and install a generator; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application included a NH Natural Heritage Bureau (NHB) Datacheck Results Letter identifying several natural communities in the vicinity of the proposed project.
6. In response to the NHB Letter, NHB has "no issues with the project, since all works is within the previously disturbed areas adjacent to the tidal marsh, and no work will impact wetlands."
7. The NH Division of Historical Resources found 'No historic Properties Affected'.

8. No comments were received from the Rye Conservation Commission.

**2016-02754                      ALEXANDRIA, TOWN OF**  
**ALEXANDRIA   Brock Brook**

**Requested Action:**

After-the Fact; dredge and fill 545 sq. ft./90 lin. ft. of perennial stream bank (Brock Brook), which includes 70 lin. ft. of temporary impacts, to rehabilitate the existing severely deteriorated bridge abutments, placement of a concrete scour wall on the east abutment, install large rounded river stone for scour protection, and replacement of the bridge deck.

\*\*\*\*\*

**APPROVE PERMIT:**

After-the Fact; dredge and fill 545 sq. ft./90 lin. ft. of perennial stream bank (Brock Brook), which includes 70 lin. ft. of temporary impacts, to rehabilitate the existing severely deteriorated bridge abutments, placement of a concrete scour wall on the east abutment, install large rounded river stone for scour protection, and replacement of the bridge deck.

**With Conditions:**

1. All work shall be in accordance with plans titled Bridge Rehabilitation Plans for the Brook Road Bridge #101/120 dated September 21 & 22, 2016 as received by the NH Department of Environmental Services (DES) on October 21, 2016.
2. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the Right of Way (ROW).
3. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the waters.
5. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
6. Work within the stream, inclusive of work associated with installation of a cofferdam and temporary access, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. The permittee/permittee's contractor shall restore the banks to their original grades and to a stable condition within three days of completion of construction. Angular rock shall not be used unless it is on the approved plans.
12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
16. Faulty equipment shall be repaired prior to construction.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by

mulching with tack or netting and pinning on slopes steeper than 3:1.

20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.

22. Where construction activities have been suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

23. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. Minor impact per 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. An Emergency Authorization (2016-02754) was issued by DES on September 23, 2016 to construct a scour wall at the easterly bridge abutment to prevent further scour and stabilize the abutment in accordance with plans submitted electronically to DES on September 23, 2016.
3. An After-the-Fact wetland permit application was received on October 21, 2016 as required by the Emergency Authorization (2016-02754).
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing bridge over Brock Brook was determined to be structurally unsound.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant indicated that the rehabilitation will provide long-term structural stability and replacement would make the project fiscally impractical while increasing impacts within wetland areas.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The contributing watershed to the crossing was determined to be 1,820 acres (Tier 3). The project is not located within a designated river corridor, a 100-yr. flood plain, or in a prime wetland. The project does not impact the bed of the Brock Brook, and does not impact any identified protected species or habitat.
8. The project engineer has stamped the plan set titled Bridge Rehabilitation Plans for the Brook Road Over Brock Brook Bridge #101/120.
9. The project plans are stamped by a New Hampshire Certified Wetland Scientist ("CWS").
10. The New Hampshire Natural Heritage Bureau (NHB) review indicated there are no recorded occurrences for sensitive species near the project area per letter dated April 20, 2016.

**2016-02946 NH DEPT OF TRANSPORTATION**  
**FARMINGTON Cocheco River**

Requested Action:

Construct a two way left turn lane for 3,300 ft. impacting 3,770 sq. ft. (1,766 sq. ft. temporary) of palustrine and riverine wetlands for a side slope widening and the outlet from a new treatment swale to the river. NHDOT project #16212

Compensatory mitigation proposed is a one-time payment of \$1,470.24 to the Aquatic Resource Mitigation Fund.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

LAC - no comment

**APPROVE PERMIT:**

Construct a two way left turn lane for 3,300 ft. impacting 3,770 sq. ft. (1,766 sq. ft. temporary) of palustrine and riverine wetlands for a side slope widening and the outlet from a new treatment swale to the river. NHDOT project #16212

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 02/17/16 as received by the Department on Oct. 10, 2016.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. Work shall be done during low flow.
12. Prior to construction, photos clearly depicting wetland impact areas B, C and D shall be submitted to the file in accordance with Env-Wt 501.02(a)(3).

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of a river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Mitigation is not required per rule Env-Wt 302.03(c)(2)(e).

**2016-03172                      FULTON, KEITH**  
**LEMPSTER   Dodge Brook**

**Requested Action:**

Retain 150 square feet of impact to the bed and bank of an unnamed perennial stream (impacting 24 linear feet) to replace a deteriorated 36-inch by 30-foot corrugated metal culvert with a precast 6-foot by 30-foot open-bottom box culvert. In addition, retain 245 square feet of temporary impact(90 linear feet of bed and bank) for access and installation.

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**Conservation Commission/Staff Comments:**

Notice of Past Violation issued 01/06/2017

Inspection Date: 12/09/2016 by Stefanie M Giallongo

**APPROVE AFTER THE FACT:**

Retain 150 square feet of impact to the bed and bank of an unnamed perennial stream (impacting 24 linear feet) to replace a deteriorated 36-inch by 30-foot corrugated metal culvert with a precast 6-foot by 30-foot open-bottom box culvert. In addition, retain 245 square feet of temporary impact (90 linear feet of bed and bank) for access and installation.

**With Conditions:**

1. All work shall be in accordance with plans by Duffield Engineering dated December 06, 2016 as received by the NH Department of Environmental Services (DES) on December 12, 2016.
2. Within six months of the approval date above (XX/XX/XXXX), the permittee shall submit to DES an as-built plan. The plan shall be stamped by a licensed land surveyor or professional engineer pursuant to RSA 310-A, and parties responsible for the wetlands delineation shall be recorded on the plan.
3. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Code of Administrative Rules Env-Wq 1700.
4. The channel at the culvert inlet and outlet must maintain the natural streambed elevation and not impede stream flow.
5. Materials used to emulate a natural stream channel surface must be similar to the natural stream substrate and shall not include angular rip-rap.
6. All work shall be done from the top of the bank only. No machinery shall enter the water.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
9. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
11. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

**With Findings:**

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(l), as it proposes to disturb less than 200 linear feet of nontidal perennial stream to replace a deteriorating CMP culvert with a precast open-bottom box culvert.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert was significantly deteriorated and had recently been damaged from heavy equipment traffic, effectively constricting stream flow at the crossing.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal represents an improvement over existing conditions. It will emulate the natural stream bottom, improve stream connectivity and improve the capacity to convey high flows at the crossing.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments of concern were received by DES from abutters or local governing organizations.
6. The Natural Heritage Bureau report submitted with the application package (NHB16-3210) stated that there are "no recorded occurrences for sensitive species near this project area".
7. On December 01, 2016, a meeting was held between DES staff and the applicant's agent to review the request for more

information, which was issued by DES on November 30, 2016. Meeting notes can be found in the project file (2016-03172).

8. DES Staff conducted a field inspection of the proposed project on December 09, 2016. The field inspection revealed that the proposal was actually underway prior to the applicant obtaining their permit. A full inspection report can be found in the project file (2016-03172).

9. The file was brought to the DES-Land Resource Management (LRM) Case Review Team (CRT) on December 19, 2016 at which, it was decided to issue the permit for after-the-fact impacts, conditioned upon the submittal of a stamped as-built plan, including permit findings to describe the history of past violations by the applicant and also issue a Notice of Past Violation.

10. In January of 2006, a Letter of Deficiency (LOD) was issued to the current applicant for unpermitted wetland impacts associated with gravel pit operations and an existing Alteration of Terrain permit. A restoration plan was approved by DES in June of 2006 and a Letter of Compliance (LOC) was issued by DES for the restoration in January of 2008.

## MINIMUM IMPACT PROJECT

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**2016-03036                      MANSUR, CAROLE A/EDWARD D**  
**BELMONT   Winnisquam Lake**

### Requested Action:

Replace the existing 37 ft. 10 in. x 22 ft. 5 in., flat, boathouse roof with a 37 ft. 10 in. x 22 ft. 5 in. pitched roof with no other structural modifications and replenish the existing 26.5 ft x 19 ft. sloped beach on 256 ft. of frontage along Lake Winnisquam, in Belmont.

\*\*\*\*\*

### APPROVE PERMIT:

Replace the existing 37 ft. 10 in. x 22 ft. 5 in., flat, boathouse roof with a 37 ft. 10 in. x 22 ft. 5 in. pitched roof with no other structural modifications and replenish the existing 26.5 ft x 19 ft. sloped beach on 256 ft. of frontage along Lake Winnisquam, in Belmont.

### With Conditions:

1. All work shall be in accordance with plans as received by DES on October 20, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This project shall raise the ridgeline of the boathouse by no more than 5.5 inches.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. No more than 10 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.
8. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
9. No more than 10 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.
10. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects that meet neither the criteria of Env-Wt 303.02 nor of Env-Wt 303.04 describing major and minimum projects.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302:03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposal will modify the pitch of the boathouse roof only, and will not change the footprint of the boathouse.

2016-03057

WILSON, KATIE/MICHAEL

GILMANTON

Requested Action:

Dredge and fill 1,450 sq. ft. of forested wetland and intermittent stream to install a 30" x 20' culvert with stone headwalls (950 sq. ft./includes 20 lin. ft. intermittent stream) and install a 15" x 30' culvert with stone headwalls (500 sq. ft.) to provide access to a gravel deposit and for future forestry and agricultural purposes.

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APPROVE PERMIT:

Dredge and fill 1,450 sq. ft. of forested wetland and intermittent stream to install a 30" x 20' culvert with stone headwalls (950 sq. ft./includes 20 lin. ft. intermittent stream) and install a 15" x 30' culvert with stone headwalls (500 sq. ft.) to provide access to a gravel deposit and for future forestry and agricultural purposes.

With Conditions:

1. All work shall be in accordance with plans prepared by Fernstone Associates for the Natural Resources titled Wetland Impact Plan for Michael & Katie J. Wilson, 1957 NH Route 140, Gilmanton, NH dated September 19, 2016 as received by the New Hampshire Department of Environmental Services (DES) on October 24, 2016.
2. Any change in use for the access(i.e. subdivision or additional development) will require further permitting by the department.
3. Work shall be done during low flow.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Erosion controls shall be maintained until vegetation has established and site areas are stable.
9. Erosion controls shall be removed following permanent stabilization of the site areas.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Culverts shall be laid at original grade.
13. Embankments adjacent to wetlands, culverts, and other stream crossings shall have appropriate slope protection, such as vegetated stabilization, rip-rap, or concrete or stone headwalls, where flowing water conditions exist.
14. The proposed two foot (2') grass swale adjacent to the driveway shall remain vegetated to provide treatment of surface water runoff from driveway areas prior to entering the wetland.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands.
19. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season,



or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

With Findings:

1. This is a Minimum impact per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is intended to rebuild an existing woods road into a stable access way to a gravel deposit and future forestry and agricultural purposes.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed access is located along an existing woods road previously used for forestry operations.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed culvert structures consist of a 30" x 20' culvert with stone headwalls and install a 15" x 30' culvert with stone headwalls.
6. The NH-NHB record review did not indicate any occurrences of rare species and exemplary natural communities per letter dated September 19, 2016.
7. A Watershed Analysis and Hydraulic Analysis was performed by Northpoint Engineering, LLC dated October 19, 2016. The analysis determined that the subject stream channel has an equivalent watershed area of approximately 51.4, with a 50-year peak flow of approximately 21.4 cfs and should be considered a Tier 1 stream. The report indicates the proposed 30" culvert is well in excess of the estimated 50-year peak flow in the stream and well in excess of the calculated carrying capacity of the stream channel. Headwall installation was recommended. The report is stamped by a NH Professional Engineer.
8. The application does not qualify for Minimum Expedited review as the application was not signed by the local Conservation Commission.

**2016-03318                      WESTHAVER, ADAM**  
**LEBANON    Unnamed Wetland**

Requested Action:

Dredge and fill 1,450 square feet within palustrine forested wetland to construct a residential subdivision road serving 41 lots (Phase 3).

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APPROVE PERMIT:

Dredge and fill 1,450 square feet within palustrine forested wetland to construct a residential subdivision road serving 41 lots (Phase 3).

With Conditions:

1. All work shall be in accordance with plans by Advanced Geomatics & Design dated August 17, 2016, as received by the NH Department of Environmental Services (DES) on November 22, 2016.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or septic setback within the Phase 3 area.
4. The deed that accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Not less than 5 business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent

unintentional encroachment on adjacent wetlands and surface waters.

7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Erosion control products shall be installed per manufacturers recommended specifications.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f), as wetland impacts are less than 3,000 square feet.
2. All three phases of this subdivision was originally approved under wetland permit #2005-00198 which subsequently expired before the Phase 3 area could be constructed.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2016-03586                      NEW BOSTON AIR FORCE BASE**  
**AMHERST   Unnamed Stream**

COMPLETE NOTIFICATION:  
Amherst Tax Map #9, Lot #1

**2017-00006                      NASH, LARRY/LAURA**  
**EATON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Eaton Tadx Map #R10, Lot #20

**2017-00007                      LEEDBERG, TROY**  
**NEWINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Newington Tax Map #18, Lot #3A

**2017-00008 WEED, WAYNE**  
**NEWPORT Unnamed Stream**

COMPLETE NOTIFICATION:  
Newport Tax Map #254, Lot #7

**2017-00021 COUTERMANCHE, LEO**  
**CLAREMONT Unnamed Stream**

COMPLETE NOTIFICATION:  
Claremont Tax Map #57, Lot #31-1

**2017-00025 GALUSZKA, MICHAEL**  
**MILAN Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map #42, Lot #3

## EXPEDITED MINIMUM

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**2011-02831 SALEM, TOWN OF**  
**SALEM Unnamed Wetland Spicket River**

Requested Action:  
Applicant requests to extend the expiration date of Permit.  
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Conservation Commission/Staff Comments:  
See findings.

APPROVE TIME EXTENSION:  
Dredge and Fill a total 1,350 square feet of palustrine forested wetland to include 1,140 square feet of temporary impact and 210 square feet of permanent impact for the reconstruction of Town Farm Road to improve the drainage system and provide safe vehicular passage.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated 9/30/2011, as received by the NH Department of Environmental Services (DES) on November 7, 2011.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons,

~~and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.~~

4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall be done for lot development.
6. Work shall be done during seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. The authorized agent certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2016-03366                      LAURENDEAU, JACQUES**  
**BEDFORD   Unnamed Wetland**

Requested Action:

Dredge and fill 1,850 square feet of scrub-shrub wetland to install 15" x 20' HDPE culvert and associated fill for driveway access to a proposed single family home on an existing vacant lot.

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Conservation Commission/Staff Comments:

12/09/2016 Con. Com. voted to support this application to fill approximately 1,850 sf of wetlands to construct a driveway to access a proposed single family lot.

APPROVE PERMIT:

Dredge and fill 1,850 square feet of scrub-shrub wetland to install 15" x 20' HDPE culvert and associated fill for driveway access to a proposed single family home on an existing vacant lot.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Associates, Inc. titled Wetland Crossing Plan for Tax Map 26, Lot 6-6 dated October 27, 2016 as received by the New Hampshire Department of Environmental Services (DES) on November 30, 2016.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. Work shall be done during low flow.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access to the crossing locations.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culverts shall be laid at original grade and not result in a perched condition
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The project is necessary for access to a buildable lot (Map 26 Lot 6-6).
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant's agent has identified the proposed driveway will impact a small isolated wetland and the wetlands adjacent to the existing roadway. The driveway grades have been steepened, flared end sections have been proposed to minimize impacts to the wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A Letter of Authorization was provided from the abutting property Owner (Map 26 Lot 8-3) for wetland impacts located within 20' of the property line per letter dated December 17, 2016.
6. The applicant has provided a Driveway Permit from the Town of Bedford dated December 21, 2016.
7. The Bedford Conservation Commission voted to support the wetland permit application for driveway construction along Liberty Hill Road per letter dated December 5, 2016. The Conservation Commission signed the permit application on November 22, 2016.
8. The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the project vicinity. There are no recorded occurrences for sensitive species near the project area per letter dated October 28, 2016.
9. The plan has been stamped by a Certified Wetland Scientist (CWS) and a NH licensed Professional Engineer (PE).

**2016-03445                      NH DEPT OF TRANSPORTATION**  
**LEBANON   Mascoma River**

Requested Action:

Dredge and fill 585 square feet (40 linear feet) within the bank of the Mascoma River to upgrade an existing 15" stormwater outfall to a 30" outfall. In addition, temporarily impact 1,500 square feet within the bank (impacting 20 linear feet) for access and installation.

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APPROVE PERMIT:

Dredge and fill 585 square feet (40 linear feet) within the bank of the Mascoma River to upgrade an existing 15" stormwater outfall

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to a 30" outfall. In addition, temporarily impact 1,500 square feet within the bank (impacting 20 linear feet) for access and installation.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce Engineering dated September 9, 2016, as received by the NH Department of Environmental Services (DES) on December 9, 2016.
2. All activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and the NH Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Erosion control products shall be installed per manufacturers recommended specifications.
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
11. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
13. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
18. Filter fabric shall be installed under the rip-rap.

With Findings:

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(x), as bank impacts to replace the outfall are less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is Phase I of the City of Lebanon's Combined Overflow (CSO) Separation Project that meets the conditions of a Consent Decree from the USEPA to separate a portion of the combined storm and sewer drainage system.

**2016-03450**  
**HENNIKER**

**WOFO INVEST INC**

**Requested Action:**

Dredge and fill 2,190 square feet for the installation of three culverts for wetland crossings to access a single-family residence. This permit supercedes DES Wetlands Permit 2006-02953.

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**APPROVE PERMIT:**

Dredge and fill 2,190 square feet for the installation of three culverts for wetland crossings to access a single-family residence. This permit supercedes DES Wetlands Permit 2006-02953.

**With Conditions:**

1. All work shall be in accordance with plans by Arthur F. Siciliano Jr. dated November 30, 2016, as received by the NH Department of Environmental Services (DES) on December 09, 2016.
2. This permit shall supersede DES Wetlands Permit No. 2006-02953.
3. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
4. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and New Hampshire Administrative Rule Env-Wq 1000 is achieved.
5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
6. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
7. Work shall be done during low flow and in the dry only.
8. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
9. Upland and bank areas landward of the work area shall not be disturbed by regrading or filling.
10. Filter fabric shall be installed under the rip-rap.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. The channel at the culvert inlet and outlet must maintain the natural hydrology and not impede or accelerate flow.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
16. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
17. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
18. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
19. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
20. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. Erosion control products shall be installed per manufacturers recommended specifications.
22. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

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23. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
24. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
25. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(z), installation of a wetland crossing and associated fill to permit vehicular access to a single-family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments of concern have been received by DES from abutters, the Local River Advisory Committee or from local governing organizations.
6. The submitted Natural Heritage Bureau report (NHB16-3552) stated that there are currently "no recorded occurrences for sensitive species near this project area".
7. This permit shall supersede DES Wetlands Permit 2006-02953, which was issued on December 19, 2006 for 2,190 square feet of wetland impact to install two 24 inch RCP culverts and one 24 inch HDPE culvert in the same locations as currently proposed, associated with the initial 3-lot subdivision. The only difference between the previous proposal and the current proposal is that all three proposed culverts are 24 inch HDPE.
8. The wetlands were delineated by Thomas Carr (CWS) of Meridian Land Services, Inc in 2006. In correspondence dated December 1, 2016, the site was inspected by Mr. Carr on October 19, 2016 and conditions were found to be unchanged and consistent with the initial wetland delineation, topography and vegetation. The letter further states that "Physical modifications to the property have not been made and it exists in its natural state."

**2016-03461 THE CONSERVATION FUND**  
**CAMPTON Unnamed Perennial Streams**

Requested Action:

Improve aquatic habitat for native brook trout by filling approximately 34,974 square feet within the bed and banks of 4 unnamed perennial streams (Beebe River tributaries) by incorporating trees/wood into the brook by hand (no equipment). Wood addition treatments will occur along 25,200 linear feet of stream length within the 4 unnamed perennial streams.

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Conservation Commission/Staff Comments:

1-6-17 - No historic properties affected per DHR.

APPROVE PERMIT:

Improve aquatic habitat for native brook trout by filling approximately 34,974 square feet within the bed and banks of 4 unnamed perennial streams (Beebe River tributaries) by incorporating trees/wood into the brook by hand (no equipment). Wood addition treatments will occur along 25,200 linear feet of stream length within the 4 unnamed perennial streams.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on December 13, 2016.
2. Not less than 5 business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of



- the surface water quality standards in RSA 485-A and Env-Wq 1700.
- 5. Work shall be done during low flow conditions.
  - 6. Trees that are stabilizing slopes and banks shall be left intact.
  - 7. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of each phase of wood additions.

With Findings:

- 1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
- 2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
- 3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
- 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
- 5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

LAKES-SEASONAL DOCK NOTIF

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2017-00010                    SMITH, JULIE  
OSSIPEE   Ossipee Lake

Requested Action:  
Installation of a seasonal docking structure in accordance with plans received by NHDES on January 06, 2017.  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure in accordance with plans received by NHDES on January 06, 2017.

2017-00011                    MARTWICHUCK, STEPHEN  
BARRINGTON   Swains Lake

Requested Action:  
Installation of a seasonal docking structure.  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

PERMIT BY NOTIFICATION

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**2017-00013                      HARBOURSIDE CONDO ASSOC**  
**MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated December 13, 2016.

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**PBN IS COMPLETE:**

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated December 13, 2016.

**CSPA PERMIT**

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**2012-01158                      ACT FIVE LLC**  
**MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Request name change to ACT Five LLC to impact 515 sq ft in order to remove and rebuild existing residence, add an addition to the SW corner, relocate walkway, reconfigure porch and deck.

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**APPROVE NAME CHANGE:**

Change name to ACT Five LLC and address to 3000 SW Mountain Lane West Linn OR 97068 to impact 515 sq ft in order to remove and rebuild existing residence, add an addition to the SW corner, relocate walkway, reconfigure porch and deck.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated April 24, 2012 and received by the NH Department of Environmental Services (DES) on May 7, 2012.
2. No more than 40.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 520 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-03224                      LIGHTBOWN, KELLY**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

After-the-fact permit application for the purpose of re-grading around a portion of a deck that was removed from the house and removal of slash and grass clippings from a poorly drained wetland area. All impacts are temporary.

Total impacts: 800 sf

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APPROVE AFTER THE FACT:

After-the-fact permit application for the purpose of re-grading around a portion of a deck that was removed from the house and removal of slash and grass clippings from a poorly drained wetland area. All impacts are temporary.

Total impacts: 800 sf

With Conditions:

1. All work shall be in accordance with plans prepared by Joanne K. Coppinger, dated December 4, 2016 and received by the Department of Environmental Services ("DES") on December 19, 2016.
2. No more than 15.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Silt fencing must be removed once the area is stabilized.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
12. There shall be no impacts within wetlands, surface waters, or their banks until any permit required under RSA 482-A has been obtained.

With Findings:

ATF Shoreland Permit meets the minimum standards of the RSA 483-B and proposes a subtle reduction in impervious area.

2016-02668      **BEAUREGARD, MICHAEL**  
**BRADFORD** Massasecum Lake

Requested Action:

Retain 3,404 sq. ft. of impacts to protected shorelands associated with the resurfacing of a driveway and landscaping of disturbed areas.

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Conservation Commission/Staff Comments:

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Compliance file 3351

**APPROVE AFTER THE FACT:**

Retain 3,404 sq. ft. of impacts to protected shorelands associated with the resurfacing of a driveway and landscaping of disturbed areas.

**With Conditions:**

1. The site shall remain as depicted on plans by RCS Designs modified by Michael Beauregard received by the NH Department of Environmental Services (DES) on December 6, 2016.
2. This approval does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 2,902 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
6. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2016-03049                      BAYON, LAURIE**  
**MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Impact 3,461 sq. ft. of protected shoreland in order to raze and replace the residential primary structure and connect to an existing septic system.

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**APPROVE PERMIT:**

Impact 3,461 sq. ft. of protected shoreland in order to raze and replace the residential primary structure and connect to an existing septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Bollinger Associates dated September 2016 and received by the NH Department of Environmental Services (DES) on October 21, 2016.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 6,506 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9.. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2016-03330                      WOOD, JACQUELINE**  
**FITZWILLIAM   Laurel Lake**

**Requested Action:**

Impact 2,832 sq. ft. of protected shoreland in order to raze two primary structures, construct a more nearly conforming primary structure, a parking area, drywell, and septic system, and conduct grading, replanting, and landscaping.

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**APPROVE PERMIT:**

Impact 2,832 sq. ft. of protected shoreland in order to raze two primary structures, construct a more nearly conforming primary structure, a parking area, drywell, and septic system, and conduct grading, replanting, and landscaping.

**With Conditions:**

1. All work shall be in accordance with plans by Graz Engineering, LLC revised December 16, 2016 and received by the NH Department of Environmental Services (DES) on December 19, 2016.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. All portions of the proposed residential primary structure shall be located landward of the reference line.
5. No more than 56% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed drywell and infiltration bed shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed drywell and infiltration bed shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit does not authorize any impact within wetlands jurisdiction including surface waters and their banks. The owner is responsible for obtaining any Wetland Impact Permit that may be required under RSA 482-A prior to construction, excavation or fill within Wetlands jurisdiction.
15. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-03458

WHITE, JOHN

DERRY Big Island Pond

Requested Action:

Impact 11,200 sq. ft. of protected shoreland in order to raze the existing residential primary structure and a garage, remove and restore portions of a gravel driveway, and construct a new residential primary structure, driveway access, patio, and septic system.

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APPROVE PERMIT:

Impact 11,200 sq. ft. of protected shoreland in order to raze the existing residential primary structure and a garage, remove and restore portions of a gravel driveway, and construct a new residential primary structure, driveway access, patio, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated November 21, 2016 and received by the NH Department of Environmental Services (DES) on December 12, 2016.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 14.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 4,750 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

2016-03476

CURRAN, CHRIS

BARNSTEAD Suncook Lakes

Requested Action:

Impact 17,370 sq. ft. of protected shoreland in order to construct a residential primary structure, driveway, garage, and septic system.

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APPROVE PERMIT:

Impact 17,370 sq. ft. of protected shoreland in order to construct a residential primary structure, driveway, garage, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Terrain Planning & Design, LLC dated November 22, 2016 and received by the NH Department of Environmental Services (DES) on December 14, 2016.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 3.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 11,413 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

**2016-03477                      YUAN, STEPHEN**  
**GILFORD   Lake Winnepesaukee**

**Requested Action:**

Impact 2,935 sq. ft. of the protected shoreland in order to expand existing driveway, install irregular flagstone patio, and install a 12 ft. x 16 ft. shed.

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**APPROVE PERMIT:**

Impact 2,935 sq. ft. of the protected shoreland in order to expand existing driveway, install irregular flagstone patio, and install a 12 ft. x 16 ft. shed.

**With Conditions:**

1. All work shall be in accordance with plans by Terrain Planning and Design LLC dated November 30, 2016 and received by the NH Department of Environmental Services (DES) on December 14, 2016.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 4,937 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2016-03497                      NORTHERN REALTY ASSOCIATES LLC**

**ALTON   Lake Winnepesaukee**

**Requested Action:**

Impact 4,262 sq. ft. of protected shoreland in order to replace existing steps/walkway and lawn with sod, expand driveway area, construct a retaining wall, drip edges, catch basins with drywell, and remove a patio.

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**APPROVE PERMIT:**

Impact 4,262 sq. ft. of protected shoreland in order to replace existing steps/walkway and lawn with sod, expand driveway area, construct a retaining wall, drip edges, catch basins with drywell, and remove a patio.

**With Conditions:**

1. All work shall be in accordance with plans by Varney Engineering, LLC dated December 12, 2016 and received by the NH Department of Environmental Services (DES) on December 15, 2016.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 26.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 956 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
9. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2016-03519                      L & L AFFILIATES OF SALEM LLC**

**SALEM   Spicket River**

**Requested Action:**

Impact 31,600 sq. ft. of protected shoreland in order to construct a 3,000 sq. ft. with access drives and new paved areas.

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**APPROVE PERMIT:**



Impact 31,600 sq. ft. of protected shoreland in order to construct a 3,000 sq. ft. with access drives and new paved areas.

With Conditions:

1. All work shall be in accordance with plans by MHF Designs Consultants, Inc. dated December 12, 2016 and received by the NH Department of Environmental Services (DES) on December 19, 2016. 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
5. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. Native vegetation within an area of at least 5,470 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
12. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

